

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:22-CR-217-M-RN-1

UNITED STATES OF AMERICA

v.

NOAH EDWIN ANTHONY

UNOPPOSED
MOTION TO CONTINUE
ARRAIGNMENT AND TRIAL

The defendant, Noah Edwin Anthony, by and through counsel, respectfully moves the Court to continue the arraignment and trial currently scheduled for February 21, 2023, for a minimum of thirty (30) days. The following is offered in support of this request:

1. Mr. Anthony was named in an Indictment filed on September 13, 2022, charging him with receiving and possessing an unregistered firearm with a barrel of less than sixteen (16) inches in length, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871. Mr. Anthony was arrested on September 23, 2022.
2. The Office of the Federal Public Defender was appointed to represent Mr. Anthony on September 26, 2022. Defense counsel entered his Notice of Appearance on September 27, 2022.
3. The arraignment is currently scheduled for February 21, 2023.
4. Mr. Anthony is in the custody of the United States Marshals Service at the New Hanover County Jail.
5. On February 1, 2023, the Government extended a plea offer to Mr. Anthony. Defense counsel made arrangements to meet with Mr. Anthony at the New Hanover County Jail (NHCIJ) to review and discuss the Plea Agreement on February 3, 2023. Upon arrival

- at NHCJ, defense counsel was advised that Mr. Anthony was quarantined because of exposure to COVID-19, prohibiting the scheduled meeting. Because of professional obligations, defense counsel will not have an opportunity or adequate time to review the proposed Plea Agreement with Mr. Anthony nor prepare this case for Arraignment.
6. Defense counsel respectfully requests that the arraignment be continued for a minimum of thirty (30) days.
 7. Assistant United States Attorney Gabriel J. Diaz has indicated that he does not oppose this Motion.
 8. This Motion is made in good faith and not for the purposes of delay. Neither the Government nor the defendant would be prejudiced by the continuance sought herein.

WHEREFORE, the Defendant respectfully requests that the arraignment in this matter be continued for a minimum of thirty (30) days, or to a date that the Court deems appropriate. The ends of justice served by this Motion outweigh the interests of the public and the Defendant in a speedy trial as set forth in 18 U.S.C. § 3161(h)(7)(A).

Respectfully requested this 10th day of February, 2023.

G. ALAN DuBOIS
Federal Public Defender

/s/ Christopher J. Locascio
CHRISTOPHER J. LOCASCIO
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N.C. State Bar No. 29326
LR 57.1 Counsel Appointed

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon:

GABRIEL J. DIAZ
United States Attorney's Office
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601

by electronically filing the foregoing with the Clerk of Court on this date, using the CM/ECF system which will send notification of such filing to the above.

This the 10th day of February, 2023.

/s/ Christopher J. Locascio
CHRISTOPHER J. LOCASCIO
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